

MINUTE ITEM
This Calendar Item No. C28 was approved as
Minute Item No. 28 by the California State Lands
Commission by a vote of 3 to 0 at its
8/24/06 meeting.

CALENDAR ITEM
C28

A 9
S 6

08/24/06
PRC 8709 W 26069
T. Lipscomb

RECREATIONAL PIER LEASE

APPLICANTS:

Donald A. Murphy and Pamela J. Murphy, Trustees of the Murphy Family Trust
dated February 26, 1998

AREA, LAND TYPE, AND LOCATION:

0.0279 acres, more or less, of sovereign lands in the Sacramento River, in the
Pocket area, in the city of Sacramento, Sacramento County.

AUTHORIZED USE:

Construction, use, and maintenance of a new single-story covered floating boat
dock with a pitched roof, walkway from the dock to the shore, and pilings as seen
in Exhibit A.

LEASE TERM:

Ten years, beginning August 24, 2006.

CONSIDERATION:

No monetary consideration pursuant to Public Resources Code section 6503.5.

SPECIFIC LEASE PROVISIONS:

Liability insurance with coverage of no less than \$300,000.

OTHER PERTINENT INFORMATION:

1. Applicants own the uplands adjoining the lease premises.
2. The Applicants have applied to install four pilings and construct a single-
story floating boat dock that will be covered with a pitched roof. Access to
the floating dock will be provided via a walkway (gangway) that will be
constructed from the Applicants' upland property to the dock.

CALENDAR ITEM NO. C28 (CONT'D)

3. Applicants qualify for a rent free boat dock, walkway and pilings because they are natural persons who have improved the littoral land with, and use the upland for, a single-family dwelling.
4. On June 26, 2006, the Commission approved Calendar Item # 33 for the emergency repair of eight levee sites within the Pocket Area of the city of Sacramento. In the event the dock site is affected by these levee repairs, the Applicants will not be allowed to construct their dock until the emergency repairs to the levee at this site have been completed.
5. The design of the boat dock has been modified. No construction shall commence until all applicable permits are amended and approvals obtained from the agencies having jurisdiction over this project, and copies of such permits are provided to the Commission.
6. Pursuant to the Commission's delegation of authority and the State CEQA Guidelines (Title 14, California Code of Regulations, section 15061), the staff has determined that this activity is exempt from the requirements of the CEQA as a categorically exempt project. The project is exempt under Class 3, New Construction of Small Structures; Title 2, California Code of Regulations, section 2905 (c)(1).

Authority: Public Resources Code section 21084 and Title 14, California Code of Regulations, section 15300 and Title 2, California Code of Regulations, section 2905.
7. This activity involves lands identified as possessing significant environmental values pursuant to Public Resources Code sections 6370, et seq. Based upon the staff's consultation with the persons nominating such lands and through the CEQA review process, it is the staff's opinion that the project, as proposed, is consistent with its use classification.

APPROVALS OBTAINED:

U.S. Army Corps of Engineers, NOAA Fisheries, the U.S. Fish and Wildlife Service, The Reclamation Board, California Department of Fish and Game, and the California Regional Water Quality Control Board

EXHIBIT:

- A. Site and Location Map

CALENDAR ITEM NO. C28 (CONT'D)

RECOMMENDED ACTION:

IT IS RECOMMENDED THAT THE COMMISSION:

CEQA FINDING:

FIND THAT THE ACTIVITY IS EXEMPT FROM THE REQUIREMENTS OF THE CEQA PURSUANT TO TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTION 15061 AS A CATEGORICALLY EXEMPT PROJECT, CLASS 3, NEW CONSTRUCTION OF SMALL STRUCTURES; TITLE 2, CALIFORNIA CODE OF REGULATIONS, SECTION 2905 (c)(1).

SIGNIFICANT LANDS INVENTORY FINDING:

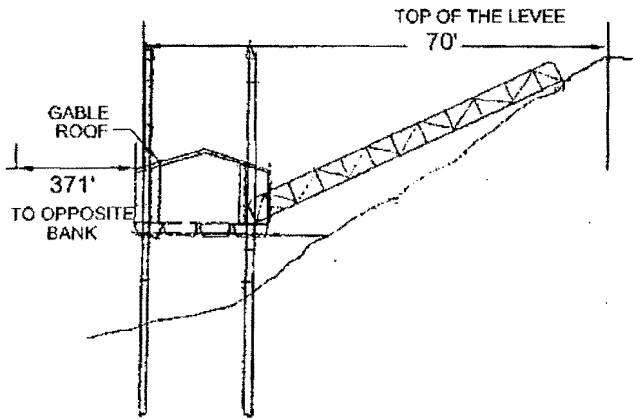
FIND THAT THIS ACTIVITY IS CONSISTENT WITH THE USE CLASSIFICATION DESIGNATED BY THE COMMISSION FOR THE LAND PURSUANT TO PUBLIC RESOURCES CODE SECTIONS 6370, ET SEQ.

AUTHORIZATION:

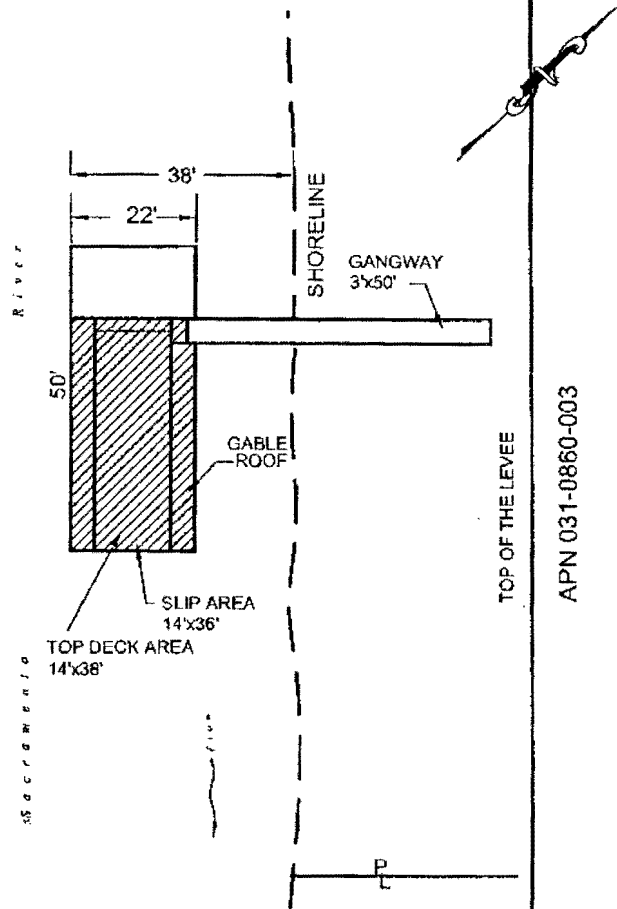
AUTHORIZE ISSUANCE TO DONALD A. MURPHY AND PAMELA J. MURPHY, TRUSTEES OF THE MURPHY FAMILY TRUST DATED FEBRUARY 26, 1998, OF A RECREATIONAL PIER LEASE BEGINNING AUGUST 24, 2006, FOR A TERM OF TEN YEARS, FOR THE CONSTRUCTION, USE, AND MAINTENANCE OF A SINGLE -STORY COVERED FLOATING BOAT DOCK WITH A PITCHED ROOF, WALKWAY FROM THE DOCK TO THE SHORE, AND PILINGS AS SHOWN ON EXHIBIT A ATTACHED AND BY THIS REFERENCE MADE A PART HEREOF; NO MONETARY CONSIDERATION PURSUANT TO PUBLIC RESOURCES CODE SECTION 6503.5; LIABILITY INSURANCE WITH COVERAGE OF NO LESS THAN \$300,000.

NO SCALE

SITE



CROSS-SECTION ELEVATION VIEW



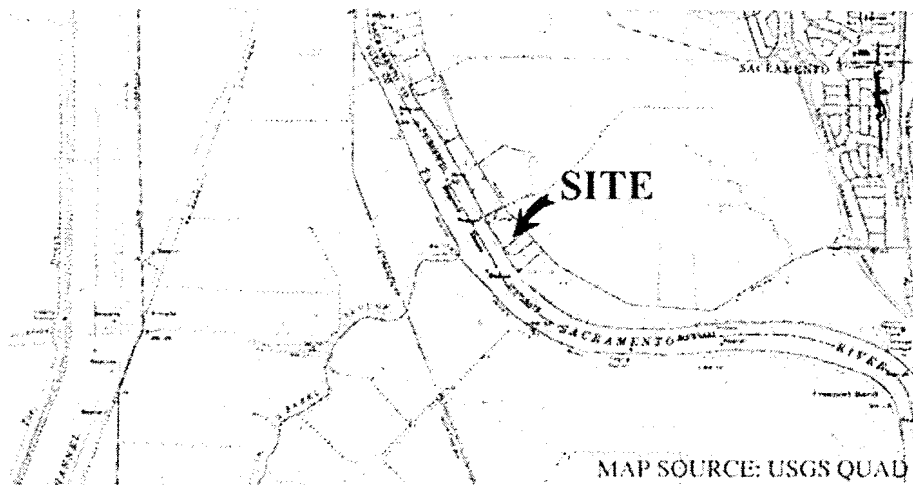
TOP OF THE LEVEE

APN 031-0860-003

7260 POCKET ROAD, SACRAMENTO RIVER

NO SCALE

LOCATION



MAP SOURCE: USGS QUAD

Exhibit A

W 26069
MURPHY
APN 031-0860-003

RECREATIONAL PIER LEASE
SACRAMENTO COUNTY



MJ 05.06

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This Exhibit is solely for purposes of generally defining the lease premises, is based on unverified information provided by the Lessee or other parties and is not intended to be, nor shall it be construed as, a waiver or limitation of any State interest in the subject or any other property.